

1 **Mark P. Robinson, Jr.**, SBN 054426
2 **Carlos A. Prietto, III**, SBN 166410
3 **Ted B. Wacker**, SBN 157416
4 **ROBINSON, CALCAGNIE & ROBINSON**
5 620 Newport Center Drive, 7th Floor
6 Newport Beach, CA 92660
7 949-720-1288; Fax 949-720-1292

8 Attorneys for Plaintiff
9 CECIL T. CARTER

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12
13 IN RE: BEXTRA AND CELEBREX
14 MARKETING, SALES PRACTICES
15 AND PRODUCTS LIABILITY
16 LITIGATION

} Case No. M:03-CV-01699-CRB

} MDL No. 1699

} JUDGE BREYER

17 This document relates to:

18 **CECIL T. CARTER**

19 **Individual Case No. 3:06-cv-00150-CRB**

} **STIPULATION AND ORDER OF**
20 **DISMISSAL ONLY AS TO CASE**
21 **NUMBER CV 05-6254-SJO,**
ORIGINALLY FILED IN THE
CENTRAL DISTRICT OF
CALIFORNIA

22 **IT IS HEREBY STIPULATED AND AGREED** by and between counsel
23 for Plaintiff and counsel for Defendants that the Complaint of Plaintiff Cecil T.
24 Carter, Case Number CV 05-6254-SJO, originally filed in the Central District of
25 California on August 25, 2005 and later transferred to MDL No. 1699, *In Re: Bextra*
26 *and Celebrex, Marketing, Sales Practices and Products Liability Litigation*, with the
27 assigned individual case number 3:06-cv-00150-CRB, may be and is hereby
28 dismissed without prejudice.

1 The parties hereby stipulate that Plaintiff will proceed in the MDL only
2 through the California action, and jurisdiction and venue for the trial of the action
3 will be proper in whichever of the following is selected by Pfizer: San Francisco,
4 Los Angeles, Missouri.

5 The parties shall each bear their own costs.

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7 Dated: May 8, 2006

ROBINSON, CALCAGNIE & ROBINSON

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9 

10 Mark P. Robinson, Jr., SBN054426

11 mrobinson@rcrlaw.net

12 Carlos A. Prietto, III, SBN 166410

13 cprietto@rcrlaw.net

14 Ted B. Wacker, SBN 157416

15 twacker@rcrlaw.net

16 620 Newport Center Drive, 7th Floor

17 Newport Beach, CA 92660

18 Telephone: (949) 720-1288

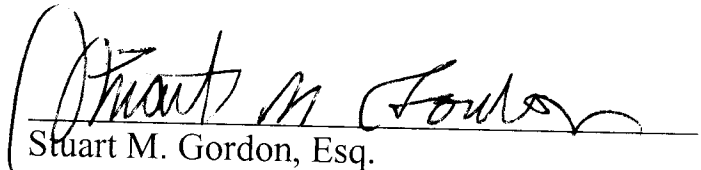
19 Fax: (949) 720-1292

20 *Counsel for Plaintiff*

21 CECIL T. CARTER

22
23 Dated: May 15, 2006

GORDON & REES

24 

25 Stuart M. Gordon, Esq.

26 sgordon@gordonrees.com

27 Embarcadero Center West

28 275 Battery Street, 20th Floor

San Francisco, CA 94111

Telephone: (415) 986-5900

Fax: (415) 986-8054

Defendants' Liaison Counsel

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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4 Dated: May 18, 2006

